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Universal periodic review

Operations of the Voluntary Trust Fund for Participation in the Universal Periodic Review

Report of the Office of the United Nations High Commissioner for Human Rights

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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 16/22 and decision 17/119, in which the Council requested the secretariat to provide an annual written update on the operations of the Voluntary Trust Fund for Participation in the Universal Periodic Review and on the resources available to it. As indicated in the previous update report (A/HRC/35/17), in an effort to consolidate information related to the universal periodic review, and on the basis of Council decision 17/119, the secretariat aligned the timing of submission of the reports on the activities supported through the two universal periodic review trust funds, namely, the Voluntary Trust Fund for Participation in the Universal Periodic Review and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. Consequently, as from 2015, both annual reports are submitted to the Council at its June session. The present report provides an overview of contributions and expenditures, together with a description of activities funded since the previous report until 31 December 2017.

2. Participation of Member States in the review process has been universal ever since the launch of the mechanism, demonstrating strong commitment to and acceptance of the mechanism as a critical tool of the Human Rights Council and States Members of the United Nations. This was highlighted during the annual high-level panel discussion on human rights mainstreaming, held on 26 February 2018 during the thirty-seventh session of the Council, pursuant to its resolution 16/21, which had as its theme "The promotion and protection of human rights in the light of the universal periodic review mechanism: challenges and opportunities".

3. The support provided through the Voluntary Trust Fund for Participation in the Universal Periodic Review remains instrumental, allowing delegations to be present and to contribute to an interactive dialogue that is universal, independent, impartial and non-politicized, with recommendations that are constructive, specific, action-oriented and implementable, taking into account national capacities. Trust Fund-supported participation also contributes to raising delegations' awareness of the need for close coordination of implementation efforts at the national level, through national mechanisms for reporting and follow-up. This need primarily stems from the fact that substantive issues raised in the universal periodic reviews often mirror the recommendations of other human rights mechanisms and complement the 2030 Agenda for Sustainable Development, as also highlighted during the annual high-level panel discussion.

II. Financial situation of the Fund

4. Table 1 shows the detailed financial situation of the Fund as at 31 December 2017 (statement of income and expenditure).

Table 1

Statement of income and expenditure for the period 1 January–31 December 2017

(United States dollars)

Income	
Voluntary contributions received in 2017	58 441.41
Gain/loss on exchange	1 596.67
Interest and miscellaneous income	10 551.00
Total income	**70 589.08**
Expenditure	
Staff costs	–
Other personnel costs (consultants' fees and travel)	–
Staff travel	–
Travel of representatives/participants to meetings and seminars	55 912.27

Contractual services	–
General operating and other direct costs	11.97
Equipment, vehicles and furniture	–
Grants (<US$50,000) and fellowships	–
Programme support (indirect) costs	768.54
Total expenditure	**56 692.78**
Adjustments to prior year expenditure (liquidation of commitments)	**50 067.99**
Net excess (shortfall) of income over expenditure for the period	**63 964.29**
Opening balance on 1 January 2017	**1 138 475.59**
Other adjustments (prior period)	–
Unpaid pledges	–
Total fund balance as at 31 December 2017	**1 202 439.88**

5. Since the establishment of the Fund, 18 countries have made financial contributions to it. In 2017, Belgium, the Republic of Korea and Singapore contributed US$28,441.41, US$25,000 and US$5,000 respectively.

6. Since the Fund has not enjoyed a predictable pattern of income, substantial resources are systematically kept as a reserve for future activities; the secretariat of the Fund has approved all requests, in line with the Fund's terms of reference, to enable participation in the universal periodic review.

III. Activities

A. Travel to meetings

7. Under the terms of reference of the Fund, financial support is made available to developing countries, in particular least developed countries, to cover travel to Geneva by one official government representative in order to participate:

(a) In sessions of the Working Group on the Universal Periodic Review during which the representative's country is considered;

(b) In plenary sessions of the Human Rights Council during which the outcome of the review of the representative's country is adopted.

8. The Fund also provides for the travel of official representatives (one per delegation) of developing countries, in particular least developed countries, that are members of the Human Rights Council and do not have a permanent mission in Geneva, to act as rapporteurs (namely, as members of the troika).

9. In 2017, 15 of the 26 States that could have benefited from the travel assistance of the Fund requested financial assistance to participate in the sessions of the Working Group at which they were reviewed or in the Human Rights Council plenary sessions: Argentina, Benin, Brazil, Gabon, Guatemala, Indonesia, Peru, Republic of Moldova, Sri Lanka, Timor-Leste, Togo, Tunisia, Uganda, Zambia and Zimbabwe.

10. Since March 2014, a more proactive approach through targeted correspondence has been implemented to encourage States to avail themselves of the support provided through the Fund. A few weeks prior to the session, the secretariat addresses correspondence to States that could benefit from the assistance of the Fund, indicating the first steps that need to be taken to request the assistance and setting out the main entitlements. Such a targeted approach has allowed States, in particular small island developing States and least developed countries without representation in Geneva and not very familiar with the human rights framework and machinery, to become more familiar with the Fund and to request support. In addition, the secretariat is ensuring, as much as possible, complementarity

between the support provided through the Fund and that provided through the fund for small island developing States and least developed countries.

11. In addition to covering travel costs, the Fund also provides for the payment of a daily subsistence allowance at the rate applicable to Geneva at the time of travel. Under the standing official provisions for such travel, a Government formally requesting such assistance would be advised of the official entitlements for travel and daily subsistence allowance in connection with the required itinerary, which would then be reimbursed upon completion of the trip and upon provision of the necessary supporting documentation. That arrangement, however, proved onerous for many requesting Governments, which were unable to submit the claims documenting the travels and were therefore not reimbursed. In an effort to address that issue, between the seventeenth session of the Working Group on the Universal Periodic Review (21 October–1 November 2013) and November 2015, the secretariat arranged to provide economy class tickets prior to travel and paid the daily subsistence allowance upon arrival in Geneva, thereby alleviating most of the difficulties associated with retroactive reimbursement of expenses.

12. In November 2015, the Office of the United Nations High Commissioner for Human Rights (OHCHR), together with most of the United Nations Secretariat, started using Umoja, which has completely changed the way in which the Secretariat manages its administration, executes its work processes, conducts its business and manages its resources. The new system also implies some changes to the way travel arrangements are processed. Once a Government requests the assistance of the Fund, it is advised of the official entitlements for travel and daily subsistence allowance. OHCHR is required to make the necessary arrangements for the issuance and payment of the ticket in advance. The daily subsistence allowance is provided in two instalments, with 75 per cent of the total amount paid in advance, either by bank transfer or upon arrival in Geneva, and the remaining amount and terminal expenses disbursed after the completion of the mission on the basis of required documentation.

13. The direct ticketing does, however, require more advance planning since Governments are required to designate their delegate with sufficient lead time to enable the secretariat to make the travel arrangements and issue the ticket in accordance with the United Nations official travel policies. However, and unlike the practice until November 2015, in cases where such direct ticketing is not possible, the previous arrangement for retroactive reimbursement of travel expenses can no longer be provided. Undoubtedly, the fact that retroactive travel reimbursement is no longer an option under Umoja has had a substantial impact on the support provided to States.

14. Table 2 below shows the breakdown of financial assistance and annual expenditures, complete with the amount authorized, status of reimbursement and total commitments to date with regard to the financial assistance provided for the travel of government delegates to Geneva.

Table 2

Expenditures for travel of government representatives to attend sessions of the Working Group on the Universal Periodic Review and plenary sessions of the Human Rights Council

Year	*Number of countries funded*	*Amount paid (United States dollars)*
2008	6	16 885.00
2009	17	23 568.00
2010	23	39 942.00
2011	21	11 698.00
2012	3	11 295.00
2013	6	35 176.00
2014	15	53 939.00
2015	23	95 512.00

Year	*Number of countries funded*	*Amount paid (United States dollars)*
2016	26	82 300.25
2017	15	55 912.27
Total		**426 227.52**

B. Training

15. The terms of reference of the Fund allow the financing of briefings prior to the sessions of the Working Group on the Universal Periodic Review to assist countries in the preparatory process. These briefings usually consist of plenary segments and breakout group discussions during which the policies, procedures and modalities of the universal periodic review are examined, information is exchanged and good practices and lessons learned are discussed concerning the organization of national consultations, the setting up of interministerial coordination mechanisms (so-called national mechanisms for reporting and follow-up), the drafting of national reports and participation in the interactive dialogues held by the Working Group and the Human Rights Council in plenary session.

16. No regional briefings were held in 2017. However, provision was made for the Fund to support regional workshops for African countries (English-, French- and Portuguese-speaking) starting in April 2018. In addition, since May 2017 onwards, OHCHR has been organizing informal briefings during the sessions of the Working Group on the Universal Periodic Review for members of delegations participating in the review, especially those who have travelled from their capitals. The briefings, which are held in the first and second week of the sessions, have provided visiting delegations with an overview of follow-up processes and measures for the implementation of recommendations of human rights mechanisms, in particular the universal periodic review, in the light of existing good practices. The briefings have been positively received by Member States and will continue to be systematically offered to delegations during sessions of the Working Group on the Universal Periodic Review in the third universal periodic review cycle.

IV. Conclusions

17. **During the reporting period, the Voluntary Trust Fund for Participation in the Universal Periodic Review continued to facilitate the participation of developing countries, in particular least developed countries, in the sessions of the Working Group on the Universal Periodic Review at which they were considered. Assistance was also provided to requesting States to enable them to participate in the adoption of their outcome document by the Human Rights Council during its plenary sessions. In that regard, the secretariat started following up with delegations through a more proactive approach, which included sending targeted correspondence, to ensure that all States entitled to assistance under the Voluntary Fund could avail themselves of the opportunity.**

18. **Since the inception of the universal periodic review and in recognition of the inherent related challenge of ensuring that participation is indeed universal, the needs and constraints of least developed countries have been considered. Ensuring the informed, regular and full participation of States with few resources and no representation in Geneva, in addition to all other States, requires regular outreach activities.**

19. **The secretariat has continued to support States, not only to participate in the reviews, but for the review to be understood as a full process, in particular at the national level, focusing on the implementation of recommendations made during the previous cycles. The briefings organized by OHCHR since May 2017 during the sessions of the Working Group on the Universal Periodic Review for members of delegations participating in the review of their countries contribute to this**

understanding. The briefings, like the universal periodic review in general, allow Member States to share their best practices regarding national implementation and follow-up processes.

20. As stated by the Secretary-General of the United Nations in his 2017 report on the work of the Organization (A/72/1, para. 98), the United Nations will provide better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.

21. The Secretary-General elaborated on this vision in his report on strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity (A/72/351), in which he explained that the increased focus on the follow-up and implementation of the recommendations from human rights mechanisms provided the United Nations system with an opportunity to engage with Member States. International cooperation, including through human rights mechanisms and their recommendations, provided an important basis for States to achieve greater results in both the implementation of the Sustainable Development Goals and human rights protection at the country level. Technical assistance in the field of human rights should be based on such recommendations and be provided in closer cooperation and partnership with Member States, regional human rights mechanisms, national human rights institutions, non-governmental organizations and the wider United Nations system.

22. The emphasis on implementation was also one of the key outcomes of the annual high-level panel discussion on human rights mainstreaming, held on 26 February 2018, during the thirty-seventh session of the Human Rights Council, pursuant to its resolution 16/21, which had as its theme "The promotion and protection of human rights in the light of the universal periodic review mechanism: challenges and opportunities". Participants in the panel discussion pointed out that the substantive issues raised in universal periodic reviews often mirrored the recommendations of other human rights mechanisms, forming a cross section of critical human rights gaps at the country level which, if addressed, would build more resilient societies and sustain development and peace. The panel identified the need for strong coordination of implementation efforts at the national level, through national mechanisms for reporting and follow-up. The role of national human rights institutions and non-governmental organizations at the national and international levels was emphasized, as well as the importance of non-retaliation for any form of cooperation with United Nations human rights mechanisms. Discussions also focused on the complementarity between the 2030 Agenda for Sustainable Development and the universal periodic review. The panel identified the review as a unique opportunity for States to ground national development programmes and policies in human rights, and to move forward the 2030 Agenda, supported by the United Nations system at the national level, under the leadership of the United Nations Resident Coordinator and the international donor community.

23. The Voluntary Trust Fund for Participation in the Universal Periodic Review is instrumental in ensuring the presence of many delegation members. It allows those members to be present at and to contribute to an interactive dialogue that is universal, independent, impartial and non-politicized, the quality of which contributes to recommendations that are constructive, specific, action-oriented and implementable, taking into account national capacities.